

REGULAR CITY COUNCIL MEETING

SEPTEMBER 17, 1984

PRESENT

Grant S. Nielson	Mayor
Don Dafoe	Council Member
Neil Dutson	Council Member
Gayle Bunker	Council Member
Craig Greathouse	Council Member
Ruth Hansen	Council Member

ABSENT

Dorothy Jeffery	City Recorder
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OTHERS PRESENT

Jim Allan	City Manager
Warren Peterson	City Attorney
John Quick	City Engineer
Doyle Bender	City Treasurer
Bryce Ashby	City Fire Chief
Daryl Wood	
Bob Pendray	Contractor
Wallace Church	City Resident
Bonnie Church	City Resident
Rayola Tolley	
Ken Tolley	
Jim Fletcher	KNAK Radio Station
David Clark	Chamber of Commerce
Jim Mitchell	

Mayor Nielson called the meeting to order at 7:00 p.m. and stated that the notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided to the Millard County Chronicle, the Millard County Gazette, and the local radio station, KNAK, and to each member of the governing body by personal delivery of copies of the Notice and Agenda two (2) days prior to the meeting.

MINUTES

After reviewing the minutes of the Regular City Council Meeting held August 13, 1984, Council Member Ruth Hansen MOVED to table the minutes. Council Member Don Dafoe SECONDED the motion. The motion passed unanimously.

The September 4, 1984, minutes were presented to the Council for their review and consideration for approval. Council Member Ruth Hansen requested that on Page 3 the phrase, "appointment of an unexpired term", be changed to say "until the next municipal election" because the appointment was not for

an unexpired term because an unexpired term would be three years and would extend beyond the next municipal election. Council Member Don Dafoe MOVED to approve the September 4, 1984, minutes, as corrected. Council Member Neil Dutson SECONDED the motion. The motion carried unanimously.

ACCOUNTS PAYABLE

The Council discussed the list of Accounts Payable, which were distributed to the Council members two days prior to the meeting. Council Member Neil Dutson MOVED to approve the accounts payable, including the Animal Control bill for August. Council Member Ruth Hansen SECONDED the motion, which carried unanimously.

MAYOR GRANT NIELSON: MEA CREDIT UNION BUSINESS LICENSE FEE

Mayor Nielson recognized Dean Bennett, manager of MEA Credit Union, and asked that Mr. Bennett explain the position of MEA Credit Union regarding payment of business license fees. Mr. Bennett stated the Credit Union would pay the amount for the license fee the Council agreed on, but would not be willing to pay any portion that was a tax rather than a fee. Mayor Nielson told Mr. Bennett that he would recommend to the Council that the license fee be set to exclude any element of taxation for revenue purposes and said that the license fee for this type of license should be set at about \$150.00.

Mayor Nielson mentioned that Utah law states that municipalities cannot use the license fee as revenue in licensing credit unions. MEA, at the present time, is assessed \$300 for its license.

Council Member Gayle Bunker asked what the business license fee is used for. Mayor Nielson stated that the money received for business licenses goes into the general fund, a portion of which goes to pay for administering the license program. Some of the money is also being disbursed to the Chamber of Commerce. It is also used for some of the police activities.

Council Member Gayle Bunker MOVED that the Council establish MEA Credit Union's license fee at \$150.00. Council Member Don Dafoe SECONDED the motion. Mayor Nielson asked if there were any further discussion on the matter. City Attorney Warren Peterson suggested that research be done on this matter as soon as practical to establish that the services provided under the licensing program to MEA does cost the City \$150.00.

Mayor Nielson asked if there was any further discussion on the matter. There being none, he then called for a vote on the motion. The motion passed unanimously.

CITY ATTORNEY WARREN PETERSON: BUSINESS LICENSE FOR TOLLEY'S CARPETS, DRAPERIES & INTERIORS

Attorney Warren Peterson stated that a question had come up recently regarding the status of the business license for Peterson & Tolley Carpets. The business license has not been granted because the business is located in a zone that is residential rather than a business zone. The Zoning

Enforcement Officer and Attorney Peterson have concluded that the business has been enlarged beyond the prior non-conformative use and so no license was issued. Zoning and Enforcement proceedings were initiated. The Council, however, agreed that the action could be deferred pending hearing of a zone change.

City Treasurer Doyle Bender, as secretary of the Planning and Zoning Commission, stated there are five parcels that were indicated in the original zone change that was brought to the Planning and Zoning Commission.

Council Member Gayle Bunker MOVED to send this matter back to the Planning and Zoning Commission and ask that they initiate the zone change. He further moved that the City delay any enforcement action until November 15, 1984. Council Member Craig Greathouse SECONDED the motion. The Mayor called for a vote and the motion passed unanimously.

BOB PENDRAY: PENDRAY SUBDIVISION "K"

Bob Pendray asked the Council for their approval on Pendray Subdivision "K", subject to City Engineer John Quick and City Attorney Warren Peterson approving and signing the subdivision plat.

After some discussion on the subject, Council Member Neil Dutson MOVED to approve Pendray Subdivision "K," subject to approval of City Attorney Warren Peterson and City Engineer John Quick. Council Member Don Dafoe SECONDED the motion. The motion passed unanimously.

WALLY CHURCH: REQUEST TO PURCHASE A CITY OWNED LOT LOCATED AT 5TH WEST AND MAIN STREET

Wally Church explained to the Council he had requested he be allowed to come before the Council and discuss the possible purchase of a city-owned lot. Mr. Church said he would be willing to pay \$500 for the property located on the corner of 5th West and Main.

City Attorney Warren Peterson told the Council that in the past the procedure has been to advertise for sealed bids on the City-owned property that is being sold. He asked the Council if they felt that this parcel was large enough to be worth the trouble. Attorney Peterson then asked that the request be tabled until he has had time to research the Utah statutes on disposal of such property.

Council Member Neil Dutson MOVED to table the issue until Attorney Peterson has researched the matter further. Council Member Don Dafoe SECONDED the motion. The motion carried unanimously. The Mayor then told Mr. Church that he would bring this matter back before the Council within the next two weeks.

DAVID CLARK, CHAMBER OF COMMERCE: MILLARD COUNTY INDUSTRIAL DEVELOPMENT PRESENTATION

Mayor Nielson asked Mr. David Clark to speak on behalf of the Millard County Industrial Development Council (MCID). Mr. Clark explained that he had come before the Council to represent the Millard County Industrial Development Committee, which was organized through the Delta Area Chamber of Commerce. He stated that the organization has outgrown anything that the Chamber can do to meet county-wide development and monetary needs. He said the MCID has approached the County Commissioners to see about organizing the Millard County Industrial Development Committee. The County Commissioners were very favorable. A five member committee was organized with three members representing the Delta area and two representing the Fillmore area.

In the past, he said, the Delta Area Chamber of Commerce has campaigned to solicit industries and businesses to locate in this area, with some favorable response. The contact has been primarily through trade publications and advertisements. The Chamber has spent over \$3,000.00 in advertising and about \$800.00 in brochure costs. Inquiries about the area have come from manufacturers, hardware distributors and retailers, assembly processing companies, construction companies, clothing retailers, food retailers, and electrical rebuilding companies, trucking firms and some franchise food businesses.

Mr. Clark said many other communities are soliciting these businesses. He said additional money is needed to solicit these businesses on a very aggressive basis. The MCID has organized committees so that the committee members have the ability and time to go out and actively meet and greet the businesses. The Chamber has made contact with different types of financing companies besides the local institutions to see if they could offer more attractive financing packages for these businesses.

Mr. Clark explained that though the Chamber is trying to capitalize on these resources, they need help to generate jobs, payroll and continue to build a foundation here so that people in the area can stay in this area and not have to seek employment elsewhere. The Chamber would like to continue advertising in the periodicals in which they are now advertising, as well as to arrange for meetings and possible travel to other areas so they can encourage other businesses to move here.

Mr. Clark stated that the main reason he was at the meeting was to discuss with the Council the possibility of arranging some financial support for the committee. The Chamber has contacted Millard County and the County Commissioners indicated that they would fund the larger share of the budget. The County requested that the Chamber contact all of the general governmental entities in Millard County because everyone in Millard County will benefit from this endeavor. Mr. Clark further stated that the Chamber is requesting \$1.00 for every individual who lives in the community. The total budget, including the County share, would be \$20,000.00, he said. Also, Millard County would be asked to pay approximately \$10,000.00 and the City to pay \$6,000.00.

Mr. Clark commented that if the City should receive any inquiries from any businesses looking at this area, MCID would like to show these businesses the area and what Delta has to offer new businesses. The committee would like to initiate those contacts.

City Manager Jim Allan stated there are plans to review the budget in December, but by law the City is locked into the present budget until then.

Mr. Clark mentioned those on the Committee are Jay Warner and Harold Stewart from the Fillmore area, and Darrel Lester, Jack Nelson and himself from the Delta area.

Mayor Grant Nielson told Mr. Clark that the Chamber needs to keep reminding the Council. He stated that he thought what MCID was trying to do was very worthwhile and that possibly when the budget is reviewed the City can consider granting some financial assistance. Council Member Craig Greathouse asked how soon Mr. Clark would be ready to go with this project. Mr. Clark stated they would be ready within 60 days. He also stated that the advertisements that they have placed, the money that they have spent, and the contacts that they have made probably need to be redone within a 60 to 90 day period.

Mayor Grant Nielson again told Mr. Clark that the matter would be considered and asked Mr. Clark to remind the Council of his requests at a future date.

CITY MANAGER JIM ALLAN: STATUS OF CORRECTIONS AT WHITE SAGE REGIONAL PARK BALL FIELDS

City Manager Jim Allan stated that he has been in contact with Intermountain Power Agency (IPA) and has discussed possible ways to alleviate problems at the White Sage Regional Park. IPA has had some specialists involved to determine the reasons that the grass and trees have died. For example, Utah State University agents have been conducting soil sample tests to see what needs to be done. IPA has also contacted an engineering firm for assistance.

There are two major problems:

1. There is not sufficient drainage.
2. The soil is too saline.

To deal with the drainage, IPA proposed to install field drains and a collection pipe that would drain into the storm drainage system. This would permit excess water to be carried away.

There are two concepts for field drainage. One is to provide a plant and another solution is to tip the fields, bring in chips and sulphur and try to neutralize the soil. The problem is that over a period of time some of the alkaline would cause the sulphur to rise and the same problem would occur. Where there are field drains, IPA would install a "V" in the field so that there would be high points where the drains are and low points where the pipe line is. Above the pipe line gravel would be provided to allow water

to flow from the top into that area. On top of that gravel, top soil and possibly new turf would be provided.

Council Member Craig Greathouse asked if new sprinkling systems would have to be installed. City Manager Allan stated the sprinkling systems are down approximately 28 inches; therefore, bringing in new turf would not affect these systems.

OTHER BUSINESS

Council Member Ruth Hansen stated that there is a problem with the restrooms when large groups meet in the City Park. There is a constant traffic flow through the library. Council Member Ruth Hansen stated that it is her understanding that there is a doorway at the end of the hall near the restrooms that would make them available from the park.

Council Member Craig Greathouse mentioned that the Lions Club at one time wanted to put in public restrooms out in the park. They wanted to put them in, brick them in, do all the pipe and they weren't allowed to do it. Council Member Ruth Hansen explained that at the time the Lions Club wanted to do this project, the City didn't want to get involved because of the police protection and because vandalism would be too big of a problem.

Council Member Don Dafoe mentioned that if there was a sign on the outside entrance that said "Restrooms" then maybe people would go that way. Council Member Ruth Hansen said the library is open until 8:00 p.m. each evening. As long as the number of people is limited, the problem is manageable. But when a family reunion or other large group uses the park, another means of access will be necessary.

Mayor Grant Nielson stated that Tex Searle of Del Park has asked for an opinion from the Council on improvements in the proposed Del Park Subdivision. Mr. Searle said that his banker will not let him put in the approximate \$6,000 for each mobile home space that would be necessary under the present ordinance. He wanted to have installation of certain improvements waived. Attorney Warren Peterson said that this very thing is being done in Hinckley. The Town of Hinckley has waived the requirement of paving and curb and gutter.

It was the feeling of the Council that it would be a mistake to waive these requirements.

Mayor Nielson asked who would be designated as the City's voting delegate at the Utah League of Cities and Towns. It was decided that Council Member Craig Greathouse would go and do the voting.

City Manager Jim Allan asked if there should be a work session for the Council to analyze the proposed bidding and purchasing procedures and to review the procedures set out in the zoning and subdivision codes. Attorney Peterson said it would be helpful to have a joint meeting with the City Council, the Planning and Zoning Commission and the Board of Adjustments so that the role of each of those could be explained. Attorney Peterson stated

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that he thought that would help in resolving some current problems if the participants on those boards understood their respective roles. It was decided by the Council to have a work session on Thursday, September 27, 1984, at 7:00 p.m.

Council Member Don Dafoe made a MOTION to adjourn the meeting. Council Member Neil Dutson SECONDED the motion. The motion carried and Mayor Nielson declared the meeting adjourned at 9:30 p.m.



GRANT S. NIELSON, Mayor

Attest:



DOROTHY JEFFERY
Delta City Recorder